



DONNA FRYE
CITY COUNCILMEMBER -- DISTRICT 6

CARL DEMAIO
CITY COUNCILMEMBER-ELECT -- DISTRICT 5

MEMORANDUM

DATE: June 9, 2008

TO: City Councilmembers

FROM: Councilmember Donna Frye

Councilmember-Elect Carl DeMaio

RE: Creation of Council Governance Study Group

We write to ask for your participation in a public process and study group we are forming to generate ideas for improving how the City Council conducts its business, manages legislation, and interacts with the public.

It is our hope that this study group will lead to significant improvements in the effectiveness of the City Council as the legislative branch of government as well as enhance public trust and confidence in their city government.

City Council Difficulties in Transition to Strong Mayor-Strong Council

As we continue to refine our transition to the Strong Mayor form of government, it is imperative that the City Council adjust to its new roles and responsibilities as an independent legislative body.

While our current experiment is labeled "Strong Mayor," the governance model is actually a "Strong Mayor-Strong Council" form of government wherein there are two equal branches of government. The City Council as the legislative branch is supposed to set policy (subject to Mayoral veto) and to provide oversight of Mayoral implementation

of policy once a law is passed. The City Council is also the branch of government best positioned to provide the public a chance to participate in their local government. While some progress has been made, the Council has had some difficulty in repositioning itself to effectively initiate its own legislation, exercise proper review and approval of budget decisions and provide effective oversight of the executive branch. With four new City Council members taking office in December, we have a unique opportunity to change the way the City Council operates—both culturally and procedurally.

Council Governance Study Committee

We are forming and co-chairing a study group to assess the progress the City Council has made in transitioning and adjusting to the Strong Mayor-Strong Council form of government. The study group will also generate ideas on how the City Council can make refinements in internal procedures and policies.

The study group will examine Council policies and procedures in four key areas:

- **Budget and Legislative Processes:** If the City Council is to be a truly independent branch of government, it ought to play a greater role in the initiation and docketing of legislation. In addition, there have been a number of instances in the past three years where there has been great confusion over the legislative process—particularly as it concerns budgetary decisions (e.g. mid-year changes, impasse process, timing of budget decisions, etc.). The study will examine how to redefine the manner in which ordinances and resolutions are introduced, managed, and considered. In addition, the study will suggest ideas for improving the integrity of the budget process.
- **Council Oversight:** As the people's body, the City Council has a duty to exercise appropriate oversight of the executive branch. To perform this role, the Council must also have access to timely and complete information from the executive branch. The study will examine how to improve its oversight capabilities at the Committee level as well as define protocols for information requests from individual Council members.
- **Public Participation:** The City Council should truly be the "people's body" in city government. As such, the City Council should strive to provide maximum access to the people to participate in their local government. The study will examine ways to enhance public knowledge of planned Council actions as well as their ability to weigh in on key issues before Council. Topics will include timing and location of City Council meetings, agenda and non-agenda public comment, and sunshine policies.
- **Presiding Officers, Rules of Order and Committee Structure:** How the City Council uses its leadership positions, defines its rules for maintaining decorum, and structures its committees has a significant impact on the effectiveness of the body as a whole. The City Council should conduct its business with decorum at

all times and the rules governing discussions should be predictable and enforced. The study will examine the role and term of Council leadership positions, structure and issues handled by committees, and ways to enhance respect for basic parliamentary procedures.

Study Group Public Input Process

The “Council Governance Study Group” will hold several “Town Hall Dialogues” in the coming months to educate the public on the current practices in the four topic areas above and seek their input on how to improve the structure and operation of the City Council.

We would like to partner with each of you on the convening of a Town Hall Dialogue in your district. If you are interested in facilitating public input from your community in this process, we would enthusiastically welcome working with you to schedule and hold an event in your district.

As co-chairs of the Study Group, we will be soliciting the input of experts in the fields of municipal budgeting, open government rules, and legislative process. This fall, we intend to notice and hold two public hearings on a package of said findings and recommendations. We invite each of you to participate in those public meetings—where the public will have an opportunity to once again comment on and add to findings and recommendations.

Our goal is to provide a report to the incoming City Council by **November 10.**

We are acutely aware that—at the moment—the public does not hold its city government in high regard. It is our hope that this study will generate some innovative ideas to improve the effectiveness of the City Council in a Strong Mayor-Strong Council form of government—and in doing so serve to enhance public confidence in the City Council as an institution and in their city government as a whole.

CC: Mayor Jerry Sanders
Andrea Tevlin, Independent Budget Analyst
Michael Aguirre, City Attorney